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November 30, 2000

Sent via e-mail and either hand delivery or U.S. mail

Mary L. Cottrell, Secretary
Massachusetts Department of Telecommunications and Energy
One South Station, 2nd Floor
Boston, MA 02110

Re: 413 Area Code Relief, D.T.E. 00-64

Dear Ms. Cottrell:

Pursuant to the procedural schedules adopted in this proceeding, the Attorney General submits this letter as his Reply Comments. The Attorney General has reviewed the public hearing transcripts and the initial comments of AT&T Communications of New England, Inc. (AAT&T@), Global NAPs, Inc. (AGNAPs@), SNET Wireless, Inc. (ASNET@), Verizon-Massachusetts (AVerizon@), Verizon Wireless, Inc. (AVerizon Wireless@), and WorldCom, Inc. (AWorldCom@) (collectively, the Carriers@), and the Town of Warwick. This review, except as specifically stated in these Reply Comments, did not cause any change in the positions set forth in the Attorney General's initial comments. (1) In these Reply Comments, the Attorney General contends that the Department of Telecommunications and Energy (ADTE@) should reject the Carriers' request that the DTE issue a relief order within the next two months. Instead, the DTE should not issue a relief order until NeuStar, Inc. (ANeuStar@) declares the 413 area code to be in jeopardy and should obtain an updated exhaust date from NeuStar. (2) If the DTE issues a relief order before jeopardy, it will subject Western Massachusetts consumers to the expense and inconvenience of a new area code prematurely.

In its November 9, 2000 Memorandum, the DTE specifically sought comment on when the DTE should commit to a relief plan for the 413 numbering plan area (ANPA@ or Aarea code@). The Attorney General urges the DTE to delay issuing a relief plan order until NeuStar declares the 413 NPA to be in jeopardy and imposes rationing on the Industry. The DTE should certainly not issue its relief order and set an implementation date within the next two months, as the Carriers suggest. (3) AT&T's claim that adoption of a relief plan now will not irrevocably commit the Commonwealth or the industry (4) is misleading -- as soon as the DTE selects a relief plan and issues a relief order, the Industry will revise their business

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plans, the news media will focus the public on the new area code, and the DTE will begin coordinating its consumer education and implementation process, all targeting the specific implementation date. Not only will a relief order set in motion the expensive and irrevocable train for a new system, but also any remaining incentive for the Industry to conserve exchange codes voluntarily in the 413 NPA will evaporate until NeuStar declares jeopardy and imposes rationing on the Industry.

NeuStar has not yet declared the 413 NPA to be in jeopardy, which suggests that, in NeuStar=s judgment, there is still a sufficient supply of numbers to meet the expected short-term demand. Moreover, NeuStar=s current exhaust date, first quarter 2002, is a six-month-old estimate predicated on outdated figures and on a highly-variable rate of exchange code assignments. (5) Only after NeuStar declares jeopardy will the DTE have an accurate gauge as to the proper Aend date@ the DTE needs to determine when a new area code is needed for the 413 NPA.

The DTE appears to have more time to make its decision than the Industry originally indicated in its Petition. Verizon and SNET Wireless, for example, claim that an overlay relief plan can be introduced within only twelve months, not the eighteen or nineteen months suggested by GNAPs and in the Industry=s Petition. (6) Action by the DTE in the form of a relief order before NeuStar declares jeopardy will expose Western Massachusetts consumers prematurely to the unpleasant consequences and expense of a new area code. Consequently, the DTE should wait to

issue its relief order until NeuStar declares the 413 NPA to be in jeopardy and creates a rationing plan for the Industry.

Respectfully submitted,

Karlen J. Reed

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COMMONWEALTH OF MASSACHUSETTS

DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY

Petition of NeuStar, Inc., as the North American Numbering)
Plan Administrator and on behalf of the Massachusetts)
telecommunications industry, for area code relief for the 413 area) D.T.E. 00-64
code in Western Massachusetts.)

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document upon each person designated by the Secretary to the Department by e-mail and either hand delivery or U.S. mail.

Dated at Boston this 30th day of November 2000.

Karl en J. Reed

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1. 1 Attorney General=s Initial Comments, filed October 27, 2000. Several consumers have submitted testimony and comments that state their strong preference against using the industry=s overlay relief plan, which further supports the Attorney General=s initial comment that the DTE should seek additional input from consumers in the 413 NPA before selecting a relief plan (id. at 1, 5). See, e.g., Tr. Vol. 1 at 17-20 (October 24, 2000); Tr. Vol. 1 at 10-12, 19-20 (October 25, 2000); Town of Warwick Comment (October 16, 2000).
2. 2 No attempt has been made to respond to all of the arguments made and positions taken by the Carriers. Silence regarding any specific argument raised in the Carriers= initial comments should not be taken as agreement by the Attorney General.
3. 3 AT&T Comments at 1; GNAPs Comments at 1; SNET October 27 Comments at 5 and SNET November 15 Comments at 1; Verizon Wireless Comments at 2; WorldCom November 15, 2000, Comments at 1. Verizon, however, requests that the relief order be issued by July 2001 (one year before July 2002) (Verizon Comments at 1).
4. 4 AT&T Comments at 2.
5. 5 NeuStar=s first quarter 2002 exhaust estimate does not reflect the return of 100 exchange codes in the 413 NPA or any subsequent exchange code reclamation efforts. See Industry=s Petition, Attachment #4.
6. 6 Verizon Comments at 1; SNET Wireless October 27 Comments at 5; GNAPs Comments at 1; Industry=s Petition at 3-4.